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Pollard's Life Term Seen as Warranted

Spy for Israel Accused of Inflicting Grave Harm to U.S. Security

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WASHINGTON—For Jonathan Jay Pollard, the American convicted of spying for Israel, the sentence was the stiffest possible—life in prison with scant chance of parole—even though his client was a close U.S. ally.

And, according to intelligence sources and others familiar with Pollard's case, the extent of his spying justified the severe punishment.

Not only did the former civilian intelligence analyst for the Navy deliver thousands of pages of classified documents to the Israelis, the sources said. But some of the material may have been "brokered away"—traded or sold to other countries—or stolen by foreign spies, including Soviet KGB agents who, one source said, may have penetrated Israel's vaunted intelligence organizations.

Identified Col. Sella

Pollard, 32, an intelligence analyst with the Naval Investigative Service from June, 1984, until his arrest in November, 1985, agreed to plead guilty and cooperated with government investigators seeking to assess the damage he had wrought. He even identified an alleged key Israeli player in the conspiracy, Col. Aviem Sella, who subsequently was indicted by a federal grand jury here and resigned his command of Israel's second-largest air base.

In most cases, defendants who plead guilty and cooperate with the government are rewarded with sentences lighter than the maximum. And Pollard's Justice Department prosecutors urged only that he be sentenced to "a substantial period of incarceration."

But Defense Secretary Caspar W. Weinberger told Pollard's judge that he had difficulty thinking of a spy case that had done greater harm to the national security. Submitting a sealed 46-page description of the harm Pollard had done, he urged Judge Aubrey E. Robinson to impose punishment matching Pollard's "perfidy."

Weinberger told Israeli Ambassador Meir Rosenne, according to reports in the Jerusalem press, that Pollard should have been hanged or shot and that the United States might have to spend \$1 billion to rectify the damage. Sources confirmed that Weinberger would have preferred the death penalty—actually, life in prison is the maximum punishment for a civilian—but they could not confirm his damage assessment.

Interviews with intelligence sources and others familiar with Pollard's espionage and an assessment of the public record make clear that he drew the maximum penalty for these reasons.

• "The length of time, the access, the volume and the selectivity" of Pollard's spying accounts for the "horror" it produced inside the intelligence community, as one official put it. In 18 months of spying for Israel, Pollard turned over thousands of pages of classified documents—a trove of papers that would measure 10 feet by 10 feet by 6 feet.

• The concern of Justice Department and intelligence officials that the top-secret and even more potentially damaging "sensitive compartmented information" that was relayed by Pollard did not stay with the Israelis but was either "brokered" away to other countries or lifted by spies who the officials believe have penetrated Israel's

intelligence network. A spokesman for the Israeli Embassy angrily denied that this had happened.

• Eagerness by U.S. officials to counter Pollard's suggestion that it is less harmful to spy for a staunch ally than for a communist country. "A spy is a spy is a spy," said a veteran U.S. intelligence official who, like Pollard, is Jewish. "Whether the sentence was excessive or not, a traitor is a traitor, whether he spies for the Soviet Union or Israel. He betrayed his trust."

• Concern that failure to come down hard on Pollard would encourage "false flag" operations, in which agents for a hostile nation recruit spies under the pretense that their information would go only to an ally.

In arguing that Pollard be given a substantial prison term, government prosecutors said that he had "wrought damage to the national security which was exceptional in both its volume and scope."

The secrets Pollard sold to Israel compromised more than 1,000 classified documents, most of which "were detailed analytical studies containing technical calculations, graphs and satellite photographs," the government said in court papers. "A substantial number of these documents were hundreds of pages in length."

Satellite photos can reveal what U.S. reconnaissance satellites are focusing on—critical information for those trying to conceal equipment and movement inside their territory.

"It would be valuable to know what we're concentrating on and what we're not because we don't do blanket coverage," one veteran intelligence official said. "We look selectively at areas."

Under the relatively lax honor system in effect in the threat analysis division of the Naval Investigative Service, Pollard had access to messages received by the agency from around the world. Prosecutors revealed some details of the highly classified messages, and one set gave details of U.S. ship positions, aircraft stations, tactics

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and training operations.

While much of this material was "highly perishable," an intelligence source said, it was useful for, at least the one Israeli military action that Pollard's information is known to have supported—the October, 1985, bombing of the Palestine Liberation Organization's headquarters in Tunis.

The source said that Pollard's data helped locate the headquarters and "presumably U.S. ship positions in the Mediterranean that permitted Israeli planes to pass undetected" on their way to carry out the mission.

The daily messages that Pollard delivered to Israel included numerous analyses of Soviet missile systems. Prosecutors said that the analyses revealed much about the way the United States collects information—"including information from human sources whose identity could be inferred by a reasonably competent intelligence analyst."

In addition, according to prosecutors, Pollard's material included the names of the U.S. intelligence analysts who compiled the data from abroad into highly classified documents.

"Disclosure of such specific information to a foreign power, even an ally of the United States, exposes these human sources of information, and U.S. analytical personnel, to potential intelligence targeting," Pollard's prosecutors told Judge Robinson.

"While no one can predict with certainty that these human sources and analysts will be themselves pressured, it is important to remember that the Israeli co-conspirators who received this sensitive information from defendant are still at large. . .," they added. "The potential for additional damage to U.S. national security now exists."

Intelligence and legal sources dismiss as unfounded the reports carried by the Israeli press that Pollard gave the Israelis the names of U.S. agents operating in Arab and communist-bloc countries, thus blowing the entire American intelligence operation in the Arab world.

"I've been in this business all my life, and I've never seen one specific name of an agent," said a veteran military intelligence official. He said that such information is not the kind to which an analyst at Pollard's level would have access.

Intelligence sources also deny a London Sunday Times report that Pollard's information had done immense damage to U.S. information-gathering in Israel, Saudi Arabia and South Africa.

Much of the concern over the Pollard case reflects who else may have gained access to the data given to the Israelis. A U.S. official involved in the case cited concern that Israel's intelligence network had been penetrated by hostile countries, although he declined to discuss the basis of such worries.

And the Israelis themselves may have disseminated information that they received from Pollard, this official added. "Once the information is out, you don't know what the Israelis are going to do with it," he said. "Israel has its own interests, and some information could be bargained away to further those interests."

A veteran military intelligence official added: "The possibility of bartering is more real if you recognize that the United States did not realize the Israelis had Pollard's information. We knew what officially exchanged information they had, so they could not trade it lest we see signs the competition had it and accuse them of trading it. On the other hand, we couldn't accuse the Israelis of perfidy if they traded material from Pollard since we didn't know they had it."

Prosecutors and intelligence sources seemed eager to challenge the argument advanced in court by Pollard that spying for a close ally is less harmful than collecting secrets for the Soviets.

The sentence imposed on Pollard "had nothing to do with the country to whom the information was given," said U.S. Atty. Joseph DiGenova, who led the prosecution team. "Rather, it reflected the nature of the information given."

Weinberger told the court that the information Pollard sold Israel "was intentionally reserved by the United States for its own use, because to disclose it—to anyone or any nation—would cause the greatest harm to our national security."

Weinberger said that decisions to withhold certain intelligence and the sources and methods of acquiring it are carefully made "as part of a plan for national defense and foreign policy which has been consistently applied throughout many Administrations."

The damage to U.S. foreign relations resulting from Pollard's spying "is even more identifiable than the adverse consequences to our military capability," prosecutors told Judge Robinson.

The most apparent damage has been done in Middle Eastern countries with friendly relations with the United States. Officials there are speculating that Pollard's disclosures to Israel may have damaged their national security.

And beyond that, the Pollard case may have dealt a subtle blow to U.S. relations with other allies in Europe and elsewhere. The prosecutors, observing that the close intelligence relationship between Western nations depends on mutual trust and responsibility, said that Pollard's activities "do not inspire confidence in the ability of the United States to protect the sensitive information it receives from other friendly countries."

Prosecutors argued that Pollard should go to prison partly to discourage what they say has become a "common technique" for enemy nations—recruiting Americans to spy by pretending they are acting on behalf of a U.S. ally.

With a stiff sentence for Pollard, "Americans targeted by the 'false flag' approach could no longer be encouraged to proceed on the belief that apprehension will bring penalties less severe than in espionage cases involving communist-bloc countries," prosecutors told the court.